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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION
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11 UNITED STATES OF AMERICA,
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13 Plaintiff,
14 v.
15 VISHAL DASA,
16 RAMAKRISHNA REDDY KARRA
17 TUSHAR TAMBE
18 ANJI REDDY DIRISANALA,
19 Defendants.
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Case No. 11-CR-742-SBA (DR)

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING HEARING DATE TO
NOVEMBER 29, 2012 AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

Hearing Date: November 29, 2012
Time: 9:30 am

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I. STIPULATION

The above-captioned matter is set on November 29, 2012 before this Court for a status hearing. The parties jointly request that the Court continue the matter to January 4, 2013, at 9:30 a.m., before the magistrate, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, between November 29, 2012 and January 4, 2013, so that the defense can have additional time to review and assess the voluminous discovery in this case.

On October 7, 2011, the United States Attorney filed a one-count Information charging defendants with conspiracy to commit visa fraud in violation of 18 U.S.C. §§ 371 and 1546(a).

1 On October 11, 2011, the defendants appeared before the magistrate court, waived Indictment
2 and were arraigned. Defendants face a maximum sentence of five years imprisonment on this
3 charge.

4 By way of background, this case is related to a larger investigation involving Tri-Valley
5 University ("TVU"), which the government has alleged was a sham university that accepted
6 foreign students and issued legal status for these students without requiring that they attend
7 classes. *See* Indictment in *United States v. Susan Su*, CR 11-00288-SBA.

8 The four defendants charged in this related case request additional time to review the
9 discovery that the government has already produced, which includes voluminous files from TVU
10 computers that the government seized and that the defendants need to review. Additionally, the
11 defense requested that the government produce additional discovery relating to the broader
12 investigation in this case, which the government recently produced. Finally, counsel for Tushar
13 Tambe, Ramakrishna Karra and Vishal Dasa are unavailable on November 29, 2012. For these
14 reasons, the parties agree that the case should be continued until January 4, 2013.

15 The parties stipulate and agree that the ends of justice served by this continuance
16 outweigh the best interest of the public and the defendants in a speedy trial. The parties further
17 agree that the failure to grant this continuance would unreasonably deny counsel for defendants
18 the reasonable time necessary for effective preparation, taking into account the exercise of due
19 diligence, and deny continuity of counsel. Accordingly, the parties agree that the period of time
20 from November 29, 2012 to January 4, 2013 should be excluded in accordance with the
21 provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective
22 preparation of defense counsel and continuity of counsel, taking into account the exercise of due
23 diligence.

24 It is so stipulated.

25 Dated: November 26, 2012

By: /s/
ANGELA HANSEN
Attorney for Defendant
VISHAL DASA

28 Dated: November 26, 2012

By: /s/
GINNY WALIA

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Attorney for Defendant
RAMAKRISHNA REDDY KARRA

Dated: November 26, 2012

By: /s/
KENNETH MCGUIRE
Attorney for Defendant
TUSHAR TAMBE

Dated: November 26, 2012

By: /s/
GALIA A. PHILLIPS
Attorney for Defendant
ANJI DIRISANALA

Dated: November 26, 2012

By: /s/
WADE RHYNE
HARTLEY WEST
Assistant United States Attorneys

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3 **II. ORDER**

4 Based on the reasons provided in the stipulation of the parties above, the Court hereby
5 FINDS:

6 1. Given that this case is related to a larger investigation involving Tri-Valley University
7 and the Indictment in *United States v. Susan Su*, CR 11-00288-SBA, and that the government
8 produced discovery to defendants that includes voluminous computer files from the University
9 that the defense needs to review;

10 2. Given that a complete review of the discovery is necessary to the defense preparation
11 of the case and that the failure to grant the requested continuance would unreasonably deny
12 counsel for defendants the reasonable time necessary for effective preparation, taking into
13 account the exercise of due diligence;

14 3. Given that counsel for Tushar Tambe, Ramakrishna Karra and Vishal Dasa are
15 unavailable on November 29, 2012 and a continuance is necessary for continuity of counsel;

16 4. Given that the ends of justice served by this continuance outweigh the best interest of
17 the public and the defendants in a speedy trial;

18 Based on these findings, IT IS HEREBY ORDERED that the STATUS date of
19 November 29, 2012, scheduled at 9:30 a.m., before Judge Ryu, is vacated and reset for January
20 4, 2013, at 9:30 a.m. before Judge ^{Westmore.} ~~Ryu~~. It is FURTHER ORDERED that time is excluded
21 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from November 29,
22 2012 until January 4, 2013.

23 IT IS SO ORDERED.

24 Dated: 11/27/12



25 JUDGE RYU
26 UNITED STATES MAGISTRATE JUDGE
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